



June 18, 1999

Theodore J. Kaczynski
04475-046
P.O. Box 8500
Florence, CO 81226-8500

Dear Ted,

I'm enclosing a letter from Jeff Miller to Quin Denvir along with the response from the Office of the Public Defender. Since the quality of the facsimile is poor, I have typed them below:

Dear Mr. Miller:

This is in response to your letter dated June 16, 1999. As to your request to see FBI reports of interviews with various persons, we are unable to provide you access to those reports. The reports were provided to us as formal discovery... We do not feel that we can unilaterally release them to other parties. If you would like access to those reports, I suggest that you contact the attorneys for the government... some reports... would be available in the court file.

As to your request to see investigator reports and a declaration, those matters are attorney work product. We do not feel at liberty to provide them.

Miller had requested the following, which I am told you can do as Denvir's client:

- a. Investigator Report # 77)
- b. " #79
- c. " #87 ,
- d. " #122 (
- e. S. Holdman interview w/ Linda Patrik (Qc)
- f. all letters to TJK from Wanda K. and David K.

Also, can you let me know if the documents used by TJK in writing his book and listed in pp. 443-464 of the manuscript, of which I believe you have a copy, are still segregated and so more easily accessible.

If at all possible, I would like to know if you could get copies of the letters to us as soon as possible. The reports listed in the above are simply to check for accuracy, which I feel confident

enough about. The letters may be necessary for fair use. We still stand a chance of hitting our deadline with composure.

I hope this note finds you as well as circumstances allow.

Yours,
Ben.

PRIVILEGED and CONFIDENTIAL

June 17, 1999

BY FAX: 916-498-5710

Quin Denvir, Esq.
Office of the Federal Defender
801 K Street
10th Floor
Sacramento, CA 95814

Re: Theodore J. Kaczynski

Dear Mr. Denvir:

In connection with my fax of yesterday, I ought to have been more specific about the documents which we need in the first instance. They would be:

- a. Investigator Report #77
- b. Investigator Report #79
- c. Investigator Report #87
- d. Investigator Report #122
- e. S. Holdman Interview w/ Linda Patrik (TJK's Item "Qc");
- f. All Letters to TJK from Wanda K. and David K.

Also, can you let me know if the documents used by TJK in writing his book and listed in pp. 443 - 464 of the manuscript, of which I believe you have a copy, are still segregated and so more easily accessible?

Finally, can you tell me which documents are under seal?

I appreciate your assistance.

Cordially,

Jeffrey Craig Miller

JCM:hjg
cc: Context Books

OFFICE OF THE FEDERAL DEFENDER
EASTERN DISTRICT OF CALIFORNIA
801 K STREET, 10th FLOOR
SACRAMENTO, CALIFORNIA 95814
(916) 498-5700 Fax (916) 498-5710

Quin Denvir
Federal Defender

Daniel J. Broderick
Chief Assistant Defender

June 16, 1999

Jeffrey Craig Miller
Miller & Korzenik LLP
488 Madison Avenue
New York, NY 10022

Re: Theodore J. Kaczynski

Dear Mr. Miller:

This is in response to your letter dated June 16, 1999. As to your request to see FBI reports of interviews with various persons, we are unable to provide you access to those reports. The reports were provided to us as formal discovery in Mr. Kaczynski's case, for use only in that case. We do not feel that we can unilaterally release them to other parties. If you would like access to those reports, I suggest that you contact the attorneys for the government, either Robert Cleary in the New Jersey U. S. Attorney's office or Steven Lapham in the Sacramento U. S. Attorney's office. Also, some reports were used as exhibits in connection with Mr. Kaczynski's motion to suppress evidence and would be available in the court file.

As to your request to see investigator reports and a declaration, those matters are attorney work product. We do not feel at liberty to provide you access to them.

Very truly yours,



Quin Denvir

QD:jk

Subject: New York Press

Date: Wed, 23 Jun 1999 13:19:52 EDT

From: beau@contextbooks.com

To: beau@contextbooks.com

Dear Beau Friedlander

Thanks again for meeting up with me last night.

As promised I send you a couple of brief notes regarding the New York press article. Please excuse my use of the English language.

Best,

My number: 212.619.23.95

As an overall impression, the story undermines some fundamental journalistic rules. It is confusingly written, it doesn't build an argument. It switches from one point to another without explaining things. As an editor, I had to send the article back and have it re-written. It leaves the reader pretty confused. It doesn't properly build a case. Just from a craftsman point of view, the article is not a masterpiece.

The entry in the story is set up in a way that you don't even have to read it in order to understand what the premise of it should be: Before you reach the first sentence the subject (is it Mello's book or is it Ted Kaczynski, it's never really clear) is already crushed. Of course, the caricature is disgraceful. I don't even want to go into details. With one simple swipe (the cartoon) it is wiping out Ted Kaczynski's credibility. The image uses every already known stereotype and it basically fulfills every expectation that has been build up regarding Kaczynski over the years. So, people who flip through this paper (and I understand people are flipping through this paper) are getting the impression: funny cartoon about a nut person. They don't even read it.

The by-line is more settle, though never the less pretty much to the same point. The line «Unabomber's Pen Pal» is very disrespectful to Mello because it implies that the writer of the book can not be taken serious, neither can the intellectual relationship between Mello and Kaczynski. They are just a «pen pal».

The writer of the article soon goes for the most obvious cheesy points. Strausbaugh «can't help feeling» that the relationship between Kaczynski and Mello has aspects of «traditional jail house romance». This of course is a stereotype without any important information. It is only used in order to discredit Kaczynski and Mello. It is also used in order to discredit the book. By writing about «death row girlfriends» the writer supposedly has met, he puts himself in the center of the attention and he avoids talking about issues. Instead he goes for the soap opera. By doing this, he is discrediting Mello's observation about Kaczynski intelligence. And, just as a technical detail, he does it in a very non logical way. He puts love interest and intelligence in the same line of arguments. But in fact, this doesn't make sense at all.

The entire beginning is a well planed set up to discredit the book. This of course is a smart technique. Because most people only read the beginning anyway. The only go on if it is written in gripping way. I found it also a little disappointing that Strausbaugh is not able to really make a profound statement about Mello's book. I don't know whether he likes it or hates it.

A couple of other observations:

Basically, the entire article does not mention once what some of the fundamental aspects of Kaczynski's ideas are. The story is repeating most things that already has been written without an attempt to go any further. He for example never mentions the fact that the manifesto was printed by the «Washington Post» and what sort of implication this had.

In his book, Mello addresses the death penalty (which I found a fascinating subject). The article swipes over it.

Strausbaugh makes a lot assumptions, which are hypothetical (e.g. «the FBI would still be looking for him had his own brother not turned him in».) Who knows. This, and a couple of other sentences are based on points with other don't matter or are not of any interest.

Strausbaugh quotes Mello "There is something very comforting in the notion that the Unabomber is a 'mad bomber,' If he is crazy then we don't need to pay attention to his ideas or". By using this quote, why isn't he asking what those ideas are? That's a follow up question every journalist has to ask or at least has to address. Aren't the ideas behind the man in the cell of more interest now since we have read quite a bit about the «mad bomber»?

Strausbaugh (or the editor) is using bold letters for describing the «suicide scene». By doing this he is highlighting what this article is basically all about it: being able to print the cartoon. Of course, he lets Mello explain what the suicide attempt was about. But everything is done in a very loud, sensational way.

Strausbaugh asks the questions: «What ultimately does Kaczynski want out of this?»

He let's Mello answer: «What Ted wants is invalidation of the guilty plea, and a trial. And what he wants out of that, if he can't be acquitted, which he won't be, is the death sentence.» This of course is a very important point, not the death sentence, but the trial. Unfortunately the article never mentions what a trial would be really mean. What questions about Kaczynski could be risen? That it might start a much broader discussion about the issues Kaczynski is rising. That it might be a reason for not having a trial so no one can talk about them. What are those issues? The story does not talk about them. This is disappointing. It also does not talk about the moral and legal questions that are involved by denying a trial. All the article is using are catchwords. It does not rise questions regarding the judicial process. It does not really talk about the right somebody has to defend himself, a question that has been risen in other cases before. Of course, the writer keeps the role of the press out during the trial, even though Mello talks about it. The same goes with psychological testing and the way, courts - or the media - is walking right over the points a radical brings into discussion. Last but not least, it is hard to understand in this article what the John Brown case has to do with Kaczynski.

Mello write it was never his idea to psychoanalyse Kaczynski. Strausbaugh is not talking about this. Though it is sometimes equally important what why people leave out.

The end of it is, again, very confusing. He talks about «Truth versus Lies», then, all of a sudden he jumps, right back to Mello. Strausbaugh makes very unclear parallels between the two books.

It is also not clear who's saying the last two long quotes starting: «The thesis is...» and «The picture of him...» Is it Friedlander or is it Mello?

To sort of sum it up: The article is pretty loud. It brings some of Mello's point across (that Kaczynski's defense lawyers denied their client his day in court). But in general it is repeating many things we've already read or heard. It never goes deep, it never touches issues that are really off. It doesn't really debate the legal system. It does not really bring Mello's

reason across why he has written the book, what he wanted to accomplish with it, his ambivalence about the subject matter. And it doesn't tell me in a argumentative way whether I should read this book or not. Therefore the article can't really be taken seriously.



Wed 80:3:08 PM

1 of 1

Subject: Re: New York Press

Date: Wed, 23 Jun 1999 14:35:26 -0400

From: Beau Friedlander <beau@contextbooks.com>

To: i...

①

16 It just occurred to me that you could clean up the usage in your critique of the NYPress story and send it to them as a letter to the editor.... Would you consider it?

sol.com wrote:

1a > In a message dated 23.6.1999 14:09:58 Uhr, beau@contextbooks.com
> writes:
>
> <<Do you mind if I send this to Ted?>>
>
> Beau, no I don't mind if you send it to Ted. Best,

--
Beau Friedlander
Context Books
368 Broadway, Suite 314
New York, NY 10013
<http://www.contextbooks.com>

interesting.
I had to think about it first. I wrote this primarily for you, and I expected you would then pass it on to Ted. As I journalist I never write letter to the editors. It is one of the general rules that I follow. There is this German expression «Kollageschelte» which means «to scold colleagues»; I never scold them in a letter to the editor. I rather observe the media and react with my own story. I hope you understand. best, peter
In a message dated 23.6.1999 14:38:06 Uhr, beau@contextbooks.com writes:
<<Would you consider it?>>

Subject: Re: New York Press
Date: Wed, 23 Jun 1999 14:56:59 EDT
From: To: beau@contextbooks.com

Wed 80:3:08 PM

②



June 13, 1999

Dear Mr. Friedlander,

David is currently away from his home, but will be back around the 26th of June.

Although he may not have time to contact you before then, I have, nevertheless, sent a copy of your letter to him.

Until then -

Sincerely yours,
Wanda T. Kozynski